

Col. Sanford to Gov. Gilmer.

AGENCY, AT SCUDDER'S, Jan. 22, 1831.

*His Excellency George R. Gilmer :*

SIR—In my letter of the 15th inst. to your Excellency, I mentioned that Col. Nelson was charged with an expedition to the upper mines. On Monday the 17th inst. he returned to Head Quarters, having successfully accomplished the object of his march. I regret, however, to add, that in the performance of that duty, he has had to encounter difficulties of the most serious and embarrassing nature. I regret it the more, inasmuch as I may have induced the belief that the law in relation to this territory would be readily submitted to, and would itself thus become a sufficient safeguard of the interest it was designed to protect. I must confess, however, that I have been mistaken: not, indeed, in the character of those from whom the opposition has arisen, but from the *daring and outrageous* manner of their resistance. Col. Nelson, in his enterprise upon Daniel's (Upper Mines,) having succeeded in arresting several persons guilty of working the mines since the 1st, their friends and former associates became apprised by some means of their capture, and from their subsequent conduct, no doubt, resolved upon their release.— For this purpose they assembled in force (between 50 and 60) early in the morning of the 16th, at Leather's Ford, having ascertained that the command with the prisoners would cross the Chestatee at that place. The first act of their hostility was indicated by their having caused a number of obstructions in the passage of the river, with the view of harrassing the detachment, and otherwise perplexing and retarding its movements. These were, however, avoided without any great difficulty, and the opposite shore having been reached in safety, the van escorting the prisoners resumed its line of march. It had proceeded but a short distance, when the Sergeant commanding the rear, brought intelligence of its being attacked, to Col. Nelson. Having secured the prisoners (11 in number) with a sufficient guard, he hastened immediately to the scene of engagement. Upon his approach, the assailants desisted from their attack, with the exception of three, who continued the assault with great fury, until checked by the bayonet. One of these, *the vilest* of the vile, received a couple of severe wounds, believed at the time, to have been mortal; but upon examination, it was found that he was not likely to experience the fate so richly merited by his infamous life, and still more infamous conduct in this affray. Previously to the rencounter, he had, I learn, professed the utmost contempt of Georgia, her laws, her officers, denied her jurisdiction over this territory, and encouraged those who were inclined, to violate her recent enactments in relation thereto, with the protection of his *valorous* arm. In the practical demonstration of his prowess, he has learned a lesson, which may hereafter be serviceable to himself, and a hint to all others who may be disposed to invade our rights or infringe our laws. Its good effects have already been experienced, for I understood, that no less than 70 of these desperate and abandoned wretches have suddenly disappeared from their former haunts in the settlements. Even before the occurrence of the affair at the Ford, individual members of the guard, when alone, had been insulted, and menaced in a manner that evidenced the most inveterate and rancorous feeling. Aware of their hostility, from what he too had seen, Col. Nelson advised his men to a cautious and circumspect deportment whilst passing them, and to refrain from any expressions or observations, in the most remote degree calculated to enrage or provoke them. In obedience to this order, the command were proceeding quietly and peaceably, when the outrageous abuse of this horde, elicited a reply from one of his men. In an instant, as if by pre-concert, the whole clan commenced gathering stones, billets of wood, and every species of missile, discharging them at the guard. It was with the utmost difficulty that they were restrained from returning this unexpected salutation with a volley of musketry—Again and again were their pieces levelled, whilst the often repeated order, "reserve your fire," alone prevented their discharge. Your Excellency will discover in this attack, a plan previously arranged and digested with considerable military tact. They calculated that by engaging with the rear, that the front-having charge of the prisoners, would be necessarily called to its relief, and that an opportunity would thus be presented of effecting their escape in the confusion which would ensue. The precaution of the commanding officer prevented the accomplishment of this design. Having failed in their attempt, they next sought his arrest by legal process, and accordingly a warrant was obtained, demanding the surrender of himself and command. Seeing the very improper purpose for which this writ was issued, he determined that it should not prevent him from doing his duty, and accordingly marched to Gainesville with his prisoners, where eight of them were committed for trial at the next court. Having thus gotten rid of his charge, he declared that it was neither his wish nor intention, whilst apprehending others for violating the law, to oppose any resistance to it himself; that the course he had pursued, was founded in a sense of duty; if in its discharge, he had done wrong, he was willing to submit himself to any tribunal having cognizance of his offence. The hue and cry against the Guard for its conduct in this transaction, has spread far and wide, through the country. Falsehoods, accusing them of crimes of the most atrocious and aggravated character, are daily fabricated and circulated for the purpose of rendering them odious to the public. The motive for this is too palpable to be mistaken for a single moment. The mines under the protection given them, are no longer a source of profit and employment. Misrepresentation and calumny have busied themselves in exciting